

GREENWOOD COMMON COUNCIL
MAY 1, 2006 MINUTES
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Mayor Charles Henderson called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison, after which Jerry McKinney led in prayer.

PRESENT: Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; Clerk-Treasurer Jeannine Myers; and City Attorney Shawna Koons-Davis.

Mr. Bates moved to approve the minutes of the regular session of April 17th, with second by Mr. Hardin. Vote: Ayes. Mr. Bates moved to approve the minutes of the special session of April 26th. Second by Mr. Gibson. Vote: Ayes (Hardin-Abstain).

The City Attorney had distributed her litigation report. There were no questions from the Council.

Mr. Hardin reported that the Plan Commission unanimously passed the annexation and rezoning petitions for the new park land and the annexation for the Greenwood Community School Corporation. There was also extended discussion on the drainage issue for Cobblestone Park; there were two remonstrators. A CP Morgan project, Villages at Grassy Creek, took up most of the meeting, said Mr. Hardin, and filled the Council chambers. Mr. Hardin indicated that he considered the platting as R-3 zero lot line a poor transition between the neighborhoods. Mr. Armstrong added that he had met with their representatives last Friday to discuss options that they want to look at further. He believes they will be requesting a continuance and seem willing to make counter proposals.

Mr. Gibson reported that the Solid Waste Management district still has the recycling project going on at the Johnson County Fairgrounds. They are also still collecting shoes. A meeting is scheduled for Monday.

Mr. Deer reported that the architectural standards committee meeting has been rescheduled for this Thursday at 6:00 p.m. in the Planning Department office.

RESOLUTION No. 06-09 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan for the Annexation of Approximately 10.76 Acres Located on the South Side of County Line Road and the East Side of Airport Parkway, Referencing Annexation Ordinance No. 06-11. Mr. Bates moved to pass Resolution No. 06-09 through first reading. Second by Mr. Bless. Vote: Ayes. **PASSED FIRST READING.**

ORDINANCE No. 06-10 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled “An Ordinance Establishing Comprehensive Zoning Regulations For the City of Greenwood, Indiana, and Providing For the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana, As Amended, and for the Repeal of All Ordinances in Conflict Herewith” (Proposed Rezoning of approximately 10.76 acres located on the south side of County Line Road and the east side of Airport Parkway, commonly known as the J. Greg Allen & Associates; Newlin Properties, LLC; and Urology of Indiana Property). Ms. Koons-Davis told the Council that research showed that the zoning is already zoned City of Greenwood – Industrial and does not have to be changed from County zoning. At her recommendation, Mr. Bates moved to defeat this ordinance. Second by Ms. Reed. Vote: Ayes. **DEFEATED.**

ORDINANCE No. 06-11 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 10.76 Acres Located on the South Side of County Line Road and the East Side of Airport Parkway (commonly known as the J. Greg Allen & Assoc.; Newlin Properties, LLC; and Urology of Indiana Property). In order to comply with State statute, Mr. Bless moved to postpone first reading Ordinance No. 06-11 until June 19th. Second by Mr. Hardin. Vote: Ayes. **POSTPONED UNTIL JUNE 19, 2006 FOR FIRST READING.**

ORDINANCE No. 06-12 – An Ordinance Providing For an Additional Appropriation From the General Fund (\$16,000) to the City Court For Video Conference System Installment Payment. Ms. Reed moved to pass Ordinance No. 06-12 through first reading. Second by Mr. Bates. Mayor Henderson opened the public hearing for comments for or against. As no one spoke, the public hearing was closed. In response to Mr. Hardin, Judge Lewis Gregory noted that this payment from the General Fund is money that is collected by the Court for late fees. There is a due date in May. Vote: Ayes. **PASSED FIRST READING.**

ORDINANCE No. 05-38 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 92.186 Acres Located Southwest of the Intersection of County Road 700 North and County Road 125 West, and Commonly Known as the Clark Pleasant Community School Corporation Property. Mr. Armstrong moved to pass Ordinance No. 05-38 through second reading. Second by Mr. Deer. Vote: Ayes – Gibson, Hardin, Reed, Armstrong, Bless, Deer; Nay – Bates. **PASSED SECOND READING.**

RESOLUTION No. 06-07 – A Resolution Authorizing a Temporary Loan For the Fire Fund (\$325,000) From the Cumulative Capital Development (CCD) Fund. Mr. Bates moved to pass Resolution No. 06-07 on second reading. Second was by Ms. Reed. Vote: Ayes. **PASSED SECOND READING.**

RESOLUTION No. 06-08 – A Resolution of the Greenwood Common Council Authorizing a Development Plan Regarding the Establishment of a Re-Entry Court Through the Greenwood City Court. Mr. Gibson moved to pass Resolution No. 06-08 on second reading. Second by Ms. Reed. Attorney Rob Seet was invited to share his statistical analysis, as he agreed to at the last meeting. His main points were 1) the Greenwood Recovery Court needlessly exposes our citizens, 2) there is no need in Greenwood for a Re-Entry Court, and 3) a Re-Entry Court in Greenwood would place a drain on our resources and endanger our citizens. Ms. Reed objected to a verbal report instead of written, as she expected. Mr. Seet apologized and offered to submit a written analysis this week. Judge Gregory briefly responded with figures from the Department of Corrections and stressed that the Parole Board has great control over parolees. He agreed with Mr. Gibson that the Judge of any drug treatment court (and, by extension, a re-entry court) has the discretion to refuse admission to anyone the Judge feels is a threat. Mr. Seet stated that if a person is released and there is a re-entry court in existence, he would not have to go to the re-entry court. If the sentencing judge orders monitoring as a condition of their probation or if the Department of Corrections “early releases” a prisoner, those are the two circumstances they would have to attend re-entry court, said Mr. Seet. Mr. Hardin expressed his concern about staffing and the effect on the taxpayers. This led to discussion of a court at the County level. Judge Gregory told the

Council that he does not envision this as being a community transition program, but a program with a modest number of participants. He told Mr. Hardin that he could develop a concept rather quickly, but a plan would take longer because the judicial center is going to have to develop regulations governing re-entry courts. Vote: Ayes. **RESOLUTION No. 06-08 PASSED SECOND READING.**

RESOLUTION No. 06-10 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan for the Annexation of Approximately 102 Acres Located West of Averitt Road and North of Cutsinger Road, Referencing Annexation Ordinance No. 06-15. **INTRODUCED.**

ORDINANCE No. 06-13 – An Ordinance Providing For an Additional Appropriation From the Aviation Operating Fund to the Board of Aviation Commissioners For Repairs and Maintenance of Leased Hangars. **INTRODUCED.**

ORDINANCE No. 06-14 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled “An Ordinance Establishing Comprehensive Zoning Regulations for the City of Greenwood, Indiana, and Providing For the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana As Amended, and For the Repeal of All Ordinances in Conflict Herewith” (Proposed Rezoning of approximately 72 acres located north of Cutsinger Road and west of Averitt Road, commonly known as the City of Greenwood Property). **INTRODUCED.**

ORDINANCE No. 06-15 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 102 Acres Located West of Averitt Road, North of Cutsinger Road (commonly known as the City of Greenwood and Greenwood Community School Corporation Properties). **INTRODUCED.** At the recommendation of counsel and to comply with State statute, Mr. Bates moved to postpone first reading and public hearing to the July 5, 2006 meeting. Second by Mr. Hardin. Vote: Ayes. **FIRST READING AND PUBLIC HEARING POSTPONED UNTIL JULY 5, 2006 MEETING.**

ORDINANCE No. 06-16 – An Ordinance Providing For an Additional Appropriation From the Cumulative Capital Development Fund (\$1,200,000) For Reconstruction and Repair of Streets and Curbs. Mayor Henderson told the Council that before the next meeting there would be a list of streets and areas that the work is proposed for. **INTRODUCED.**

ORDINANCE No. 06-17 – An Ordinance to Establish a Special Non-Reverting Fund to Administer Court Late Fees. **INTRODUCED.**

With no further business, the meeting adjourned at 7:50 p.m.